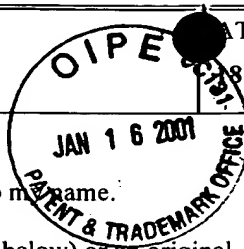


COMBINED DECLARATION FOR PATENT
APPLICATION AND POWER OF ATTORNEY
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER

819/100111



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM AND METHOD FOR SCENE IMAGE ACQUISITION AND SPECTRAL ESTIMATION USING
A WIDE-BAND MULTI-CHANNEL IMAGE CAPTURE**

the specification of which (check only one item below):

☐ is attached hereto.

☒ was filed as U.S. Patent Application Serial No. 09/692,923 on October 20, 2000 and was amended on _____ (if applicable).

☐ was filed as PCT International Application Number _____ on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specifications, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

| COUNTRY (IF PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 35 USC 119 |
|-------------------------------------|-----------------------|--------------------------------------|---|
| U.S.A. | 60/160,565 | 20 October 1999 | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |

**COMBINED DECLARATION FOR PATENT
APPLICATION AND POWER OF ATTORNEY (Continued)
(Includes Reference to PCT International Applications)**

ATTORNEY'S DOCKET NUMBER
189/100111
JAN 16 2001

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT International filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

| U.S. APPLICATIONS | | | STATUS (Check One) | | |
|---------------------------------------|------------------|---------------------------------------|--------------------|---------|-----------|
| U.S. APPLICATION NUMBER | U.S. FILING DATE | | PATENTED | PENDING | ABANDONED |
| | | | | | |
| | | | | | |
| PCT APPLICATIONS DESIGNATING THE U.S. | | | | | |
| PCT APPLICATION NO. | PCT FILING DATE | U.S. SERIAL NUMBERS ASSIGNED (if any) | | | |
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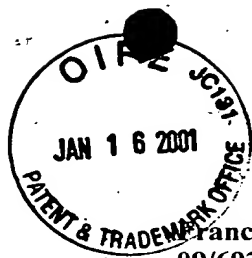
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **Michael L. Goldman, Registration No. 30,727; Joseph M. Noto, Registration No. 32,163; Grant E. Pollack, Registration No. 34,097; Ann R. Pokalsky, Registration No. 34,697; Gunnar G. Leinberg, Registration No. 35,584; Edwin V. Merkel, Registration No. 40,087; Georgia Evans, Registration No. 44,597; Alice Y. Choi, Registration No. 45,758**

| | | |
|-------------------------|--|--|
| Send Correspondence to: | Gunnar G. Leinberg, Esq. NIXON PEABODY LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603 | Direct telephone calls to: Gunnar G. Leinberg (716) 263-1014 |
|-------------------------|--|--|

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|-----|-------------------------|--|--|--|
| 201 | FULL NAME OF INVENTOR | FAMILY NAME Imai | FIRST GIVEN NAME Francisco | SECOND GIVEN NAME Hideki |
| | RESIDENCE & CITIZENSHIP | CITY Rochester | STATE/FOREIGN COUNTRY New York | COUNTRY OF CITIZENSHIP Brazil |
| | POST OFFICE ADDRESS | P.O. ADDRESS 126 Golden Rod Lane, Apt.#4 | CITY Rochester | STATE & ZIP CODE/COUNTRY New York 14623 U.S.A. |
| 202 | FULL NAME OF INVENTOR | FAMILY NAME Berns | FIRST GIVEN NAME Roy | SECOND GIVEN NAME Stephen |
| | RESIDENCE & CITIZENSHIP | CITY Pittsford | STATE/FOREIGN COUNTRY New York | COUNTRY OF CITIZENSHIP U.S.A. |
| | POST OFFICE ADDRESS | P.O. ADDRESS 538 Pittsford Henrietta Townline Road | CITY Pittsford | STATE & ZIP CODE/COUNTRY New York 14534 U.S.A. |
| 203 | FULL NAME OF INVENTOR | FAMILY NAME | FIRST GIVEN NAME | SECOND GIVEN NAME |
| | RESIDENCE & CITIZENSHIP | CITY | STATE/FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | P.O. ADDRESS | CITY | STATE & ZIP CODE/COUNTRY |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|---|---|---------------------------|
| SIGNATURE OF INVENTOR 201 <i>Francisco Hideki Imai</i> | SIGNATURE OF INVENTOR 202 <i>[Signature]</i> | SIGNATURE OF INVENTOR 203 |
| DATE <i>December 6th 2000</i> | DATE <i>12/15/00</i> | DATE |



NON-PROFIT
Docket No.: 1819/100111

Applicants : Francisco Hideki Imai and Roy Stephen Berns
Serial No. : 09/692,923
Filed : October 20, 2000
For : **SYSTEM AND METHOD FOR SCENE IMAGE ACQUISITION
AND SPECTRAL ESTIMATION USING A WIDE-BAND
MULTI-CHANNEL IMAGE CAPTURE**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF CONCERN : **Rochester Institute of Technology**
ADDRESS OF CONCERN : **5 Lomb Memorial Drive, Rochester, New York 14623-5603**
TYPE OF ORGANIZATION : **University**

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE
(26 USC 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATION UNDER STATUTE OF STATE OF
THE UNITED STATES OF AMERICA (NAME OF STATE)
(CITATION OF STATUTE)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE
SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED
STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER
STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED
IN THE UNITED STATES OF AMERICA (NAME OF STATE)
(CITATION OF STATUTE)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled **SYSTEM AND METHOD FOR SCENE IMAGE ACQUISITION AND SPECTRAL ESTIMATION USING A WIDE-BAND MULTI-CHANNEL IMAGE CAPTURE** by inventor(s) **Francisco Hideki Imai and Roy Stephen Berns** described in

- ☐ the specification filed herewith
☒ U.S. Patent Application Serial No.: **09/692,923**
Filed: **October 20, 2000**
☐ U.S. Patent No.:
Issued:

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME :
ADDRESS :

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME :
ADDRESS :

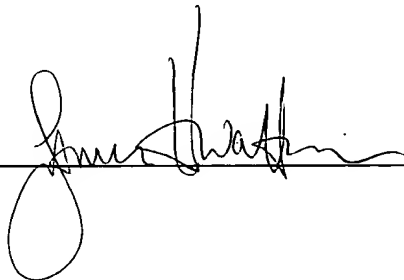
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

| | | |
|----------------------------------|---|---|
| NAME OF PERSON SIGNING | : | James Watters, Ph.D. |
| TITLE OF PERSON OTHER THAN OWNER | : | Vice President, Finance & Administration |
| ADDRESS OF PERSON SIGNING | : | Rochester Institute of Technology |
| | | 5 Lomb Memorial Drive |
| | | Rochester, New York 14623-5603 |

SIGNATURE: _____



DATE: _____

Nov 29, 00